



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2020

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

C.R.P (PD) (MD)No.736 of 2014
and M.P. (MD)No.1 of 2014

WEB COPY

M.Shanmuga Vadivel ... Petitioner/Respondent/Petitioner

Vs.

Dhanlakshmi @ Saradha ... Respondent/ Petitioner/ Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and decreetal order dated 27.01.2014 made in I.A.No.401 of 2012 in HMOP No.220 of 2011 on the file of the Additional Subordinate Judge, Thanjavur.

For Petitioner : Mr.D.Rajkumar

For Respondent : Mr.K.Mohanasundaram

ORDER

The petitioner has preferred this Civil Revision Petition against the fair and decreetal order dated 27.01.2014 made in I.A.No.401 of 2012 in HMOP No.220 of 2011 on the file of the Additional Subordinate Judge, Thanjavur.

2. It is seen from the records that the matter was listed for admission on 04.04.2014 and on that day, conditional stay was granted which has not been complied and thereafter, the matter has been kept pending till date without any progress.

3. It is further seen that the order under challenge is of the year 2014 and the Interlocutory Application is of the year 2012 and the H.M.O.P. is of the year 2011.

4. The Hon'ble Supreme Court in **Crl.A.Nos.1375-1376 of 2013 (Asian Resurfacing of Road Agency Private Limited and another Vs. Central Bureau of Investigation)** by order dated 28.03.2018, has observed as follows:-

"36.....In all pending matters before the High Courts or other Courts relating to PC Act or all other civil or criminal cases, where stay of proceedings in a pending trial is operating, stay will automatically lapse after six months from today unless extended by a speaking order on above

parameters. Same course may also be adopted by



civil and criminal appellate / revisional Courts under the jurisdiction of the High Courts. The trial Courts may, on expiry of above period, resume the proceedings without waiting for any other intimation unless express order extending stay is produced.

37.The High Courts may also issue instructions to this effect and monitor the same as that civil or criminal proceedings do not remain pending for unduly period at the trial stage."

5. In the said circumstances, no useful purpose will be served in keeping this petition pending at this length of time and hence, the Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsm

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Additional Subordinate Judge, Thanjavur.

2. The Record Keeper, V.R.Section, (2 copies)
Madurai Bench of Madras High Court,
Madurai.

C.R.P(PD) (MD)No.736 of 2014
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